

# **EXHIBIT C**

**From:** [Platt, Henry A.](#)  
**To:** ["Rubman, Gary"](#); [Antonelli, Matthew](#); [Fu, Yale](#)  
**Cc:** [Sawyer, Michael](#); ["dluthey@gablelaw.com"](#); [Dalton, Rebecca](#); [Roman, Neil](#); [Swanson, Peter](#); [Gill, Robert C.](#); [Schaufelberger, Thomas S.](#); [Flax, Sherry H.](#); [Darling, Jeremy B.](#); ["jhodges@hodgeslc.com"](#); ["Jonathan Jacobs"](#); ["Duane Zobrist"](#); [VGTvCastleHill](#)  
**Bcc:** ["Castle Hill Studios - LLC - Castle Hill Holdings LLC Video Gaming Technologies - Inc - 371634 00001 Email"](#)  
**Subject:** RE: VGT v. Castle Hill - Follow-up From March 7, 2018 Meet and Confer  
**Date:** Friday, March 09, 2018 10:48:25 AM  
**Attachments:** [image002.png](#)

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Gary:

Thank you for your e-mail, although I am not sure I understand your concern. Matt already provided you with the list of deponents we would currently like you to provide deposition dates for in his e-mail, i.e., Marsh, North, Starr, McGill, Smitherman, Reynolds, Cuddy, Eubanks, Harvey, and Yarborough. Given that discovery closes in 5 weeks, and you are opposing CHG's motion for extension of the discovery deadline, please advise when you will provide us with their availability. We already have the names of the people you have indicated you wish to depose; Matt was simply asking if you had additional names you want us to check on, without limiting either side's ability to add additional names at a later date. If you do not wish to add names today, that is fine; we can try to work any additions in later if possible, given the deadlines.

We will confirm our witnesses' availability by early next week, and we request that you do the same. We should then get on the phone and hash out a deposition schedule that makes sense for all involved. As I stated at our meet and confer, we do not believe it makes sense to schedule a deposition in Oklahoma one day, Tennessee the next, and go back to Oklahoma (or Virginia or Michigan or Pennsylvania) the next. I see no reason why we cannot work together to accomplish this task, accommodating the schedules of both the witnesses and counsel. Unilaterally (and randomly) noticing depositions is in neither party's interest. Please let me know your availability to have this conversation on Tuesday or Wednesday of next week.

Regards,  
Henry

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**Henry A. Platt | Partner | Saul Ewing Arnstein & Lehr LLP**

Phone: 202.333.8800 | Direct: 202.342.3447 | Fax: 202.295.6776

E-mail: [Henry.Platt@saul.com](mailto:Henry.Platt@saul.com) | Web: [www.saul.com](http://www.saul.com)

\* Please note that our Firm name and my email address have changed.

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**From:** Rubman, Gary [mailto:[grubman@cov.com](mailto:grubman@cov.com)]  
**Sent:** Friday, March 09, 2018 8:14 AM  
**To:** Antonelli, Matthew; Fu, Yale  
**Cc:** Sawyer, Michael; 'dluthey@gablelaw.com'; Dalton, Rebecca; Roman, Neil; Swanson, Peter; Gill, Robert C.; Schaufelberger, Thomas S.; Flax, Sherry H.; Platt, Henry A.; Darling, Jeremy B.; 'jhodges@hodgeslc.com'; 'Jonathan Jacobs'; 'Duane Zobrist'; VGTvCastleHill  
**Subject:** RE: VGT v. Castle Hill - Follow-up From March 7, 2018 Meet and Confer

Matt,

Thank you for the email. In your email below you mentioned an agreement to exchange deponent lists by today. Although we certainly are happy to work with you to coordinate scheduling of the depositions that both sides have noticed, we do not recall any agreement to exchange lists of additional deponents today. As I mentioned during the meet and confer, we are working to identify the various options for available dates for the VGT witnesses you have noticed and we understand you are doing the same for the CHG employees. Of course, if you identify any additional VGT employees you would like to depose, we will start the process of identifying their available dates and locations.

Best regards,

- Gary

## **Gary Rubman**

Covington & Burling LLP  
One CityCenter, 850 Tenth Street, NW  
Washington, DC 20001-4956  
T +1 202 662 5465 | [grubman@cov.com](mailto:grubman@cov.com)  
[www.cov.com](http://www.cov.com)

**COVINGTON**

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**From:** Antonelli, Matthew [<mailto:matt.antonelli@saull.com>]  
**Sent:** Wednesday, March 07, 2018 7:08 PM  
**To:** Rubman, Gary <[grubman@cov.com](mailto:grubman@cov.com)>; Fu, Yale <[yfu@cov.com](mailto:yfu@cov.com)>  
**Cc:** Sawyer, Michael <[msawyer@cov.com](mailto:msawyer@cov.com)>; 'dluthey@gablelaw.com' <[dluthey@gablelaw.com](mailto:dluthey@gablelaw.com)>; Dalton, Rebecca <[RDalton@cov.com](mailto:RDalton@cov.com)>; Roman, Neil <[nroman@cov.com](mailto:nroman@cov.com)>; Swanson, Peter <[pswanson@cov.com](mailto:pswanson@cov.com)>; Gill, Robert C. <[Robert.Gill@saull.com](mailto:Robert.Gill@saull.com)>; Schaufelberger, Thomas S. <[tschauf@saull.com](mailto:tschauf@saull.com)>; Flax, Sherry H. <[Sherry.Flax@saull.com](mailto:Sherry.Flax@saull.com)>; Platt, Henry A. <[Henry.Platt@saull.com](mailto:Henry.Platt@saull.com)>; Darling, Jeremy B. <[Jeremy.Darling@saull.com](mailto:Jeremy.Darling@saull.com)>; 'jhodges@hodesl.com' <[jhodges@hodesl.com](mailto:jhodges@hodesl.com)>; 'Jonathan Jacobs' <[jjacobs@zobl.com](mailto:jjacobs@zobl.com)>; 'Duane Zobrist' <[dzobrist@zobl.com](mailto:dzobrist@zobl.com)>  
**Subject:** VGT v. Castle Hill - Follow-up From March 7, 2018 Meet and Confer

Gary and Yale –

Thanks for meeting with us today. We write to confirm the items we discussed and agreed to during our meeting.

## **Interrogatories**

Both parties are working on supplemental interrogatory responses to the first sets of interrogatories. We agreed to both provide supplemental responses by March 16, 2018. Specifically, VGT will provide supplemental responses to CHG Int. Nos. 1, 2, 4, 6, and 7-12. CHG will provide supplemental responses to VGT Int. Nos. 1-4, 7, 10, and 11.

### **Document Production**

We discussed the production of financial data. Both parties are in the process of assembling/reviewing their respective materials and we agreed to make those productions as soon as possible. We confirmed that our data will include information regarding all CHG Class II games.

You confirmed that VGT is still searching for and reviewing ESI/emails, and that additional production of such materials is forthcoming in the near future. To the extent VGT no longer has emails/ESI from former-VGT employees that work/worked at Castle Hill (such as George Weilacher, for whom you told us, prior to his deposition, that VGT had no ESI/emails), that would be useful to know as we undertake our review of what ESI/emails you do produce. Likewise, we confirmed that ESI has been produced (in our March 2nd production) for John Taylor, Al Roireau, Jason Sprinkle, and Paul Suggs. The ESI for Josh Larson and Andrew Scheiner (the other two individuals mentioned in your March 1st letter) will be produced next week.

We are going to follow-up on the other specific items in your March 1st letter (PAR sheets; CHG Wiki; hard drive referred to in Milligan dep; Castle Hill "media server"; operator manuals for Accused Games; UML diagrams; and Milligan pre-employment emails). You also inquired about whether we would we agree to perform the additional searches Mike Sawyer previously requested ("three w/3 letter! w/3 company"; "market w/3 lead!"; "previous w/3 company"; "Aristocrat"; "'V word' or V-word"; and "company w/3 (not or no) w/3 nam!"). As discussed today, we provided a written response to Mike's request a day after he made it. While we continue to object to and disagree with your characterization of CHG using "code words" to refer to VGT, we will revisit this issue and let you know by Friday whether we will agree to the additional searches.

Regarding the issues raised in our February 26th letter, you clarified that despite your objections to the overbreadth of Request Nos. 18, 22, 26, 41, and 50, documents otherwise responsive to those requests are being produced in response to other document requests. You are going to follow-up on Request No. 68 regarding VGT's records of its trademark searches and investigations. To the extent VGT's records include searches or investigations regarding the marks VGT alleges have been infringed as part of this case, we expect that they will be produced, without a 5 or 10 year time limitation.

### **Request for Admissions**

While we continue to disagree with certain of VGT's objections to CHG's responses to VGT's requests for admissions, we agreed to re-evaluate our responses and supplement as appropriate. We will do so by March 16, 2018.

**Depositions**

We confirmed that Jason Sprinkle's deposition is not going forward on March 12th. We also agreed to exchange lists of deponents and to work together to schedule dates and locations. We are confirming availability for Scheiner, Larson, Roireau, Fulton, Sprinkle, Trover, and Sisson. To the extent there are any other CHG employees who you know you want to depose, please let us know by Friday and we will check on their availability and also confirm their location.

We understand that you are confirming availability for Marsh, North, Starr, McGill, and Smitherman. Please also confirm availability and locations for: Brian Reynolds, Ryan Cuddy, Craig Eubanks, and William Harvey. If we need to contact any of these folks directly, please let us know that as well. In that vein, will you accept a subpoena/deposition notice for Jon Yarborough? If yes, we would ask that you confer with him regarding his availability as well. We will let you know by Friday if there are other individuals we would like to schedule at this time.

We also discussed the deposition of John Taylor, which you have set for Saturday, April 7th at 8:00 AM. You stated that scheduling the deposition for a Saturday was done in error, so that will need to be rescheduled. We will let you know by the end of the week if we will be representing Mr. Taylor in this matter.

While we agreed to exchange deponent lists by Friday, we reserve the right to add additional individuals after that time, and recognize your right to do the same. Our goal is not to box in either party's ability to take discovery, but to work together to agree on a schedule that is realistic in light of the discovery deadlines and travel that will be required to complete depositions.

If your understanding of any of the foregoing is different, please let us know as soon as possible. We look forward to continuing to work together to resolve these issues.

Best,  
Matt

**SAUL EWING  
ARNSTEIN  
& LEHR** LLP

**Matthew J. Antonelli**

1919 Pennsylvania Avenue, N.W. Suite 550 | Washington, DC 20006-3434

Tel: 202.295.6608 | Fax: 202.295.6714

[matt.antonelli@saul.com](mailto:matt.antonelli@saul.com) | [www.saul.com](http://www.saul.com)

"Saul Ewing Arnstein & Lehr LLP ([saul.com](http://saul.com))" has made the following annotations:

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